

The regular meeting of the Town Assembly of the Village of Arden was held on June 25, 1973 in the Gild Hall with Chairman, William Press presiding.

The minutes of the March 26 and special meeting, May 21 were circulated, and on motion were approved.

The financial report of the Trustees was read and a copy is on file. The balance on hand as of May 31, 1973 was \$70,288.80, but there is some money still due on land rent. The estimate of taxes for 1973-74 is \$66,400, but the tax bill has not been received. There will not be much money for operations of town work. Until the actual tax bill is in, it will not be possible to make definite plans on ways to handle the budget. On motion the Trustees report was received.

The Auditing Committee report was circulated. The General Fund Surplus was \$11,886, Reserve for Road Expense was \$1,812, Municipal Street Aid Fund \$876 and Revenue Sharing Fund was \$2,104 or a total of \$16,678. A copy of the Audit is on file. On motion the report was received as read.

The Assessors circulated their report. Full rental value was determined to be 6.5% of the land value. Retaining the sliding scale in the same proportion as previously used, land value was set at \$4500 for 1/4 acre lots, with a proportional value for smaller lots. All other lots were valued at \$4500 for the first 1/4 acre, and \$15000 per acre for that portion of the lot above 1/4 acre. Rentals for 1000 sq. feet are: First 1/4 acre or less-----\$26.86/1000 sq. feet.  
Above 1/4 acre-----\$20.89/1000 sq. feet.  
It is estimated the above will yield \$92,400 in rental income.

The sliding scale has been modified to some extent. Any lot containing more than one domicile in form of separate dwellings or apartments shall pay a land rental equal to that for the full quarter acre rate times the number of domiciles or the full quarter acre rate whichever is the lesser. All land in excess of 1/4 acre times the number of domiciles shall then be subject to rental at the reduced rate of \$20.89/1000 sq.ft.

The surcharge for commons and forests were retained.

There was considerable discussion that the surcharge for the Village Green should be deleted because of the nuisance of the noise on the greens destroys the premium of living on the green. It was pointed out that this situation has existed for several years and it does not seem to be improving.

There is no evidence that land values have been decreasing and there are no vacancies in any of the properties fronting on the Village Green. Land value is not decided on the basis of nuisance factors which must be solved by other means.

No minority report has been offered, but anyone who wishes to present one can do this at the September meeting. If it is approved by 2/3 vote, then it will go to referendum along with the Assessors report.

It was suggested that the Assessors research the surcharge.

On motion the report of the Assessors was received.



Budget Committee: No report. Sandra Kerawalla, Chairman, said that she was moving from Arden and would have to resign. A replacement will be elected under New Business.

Civic Committee report by Warren Hoffman, Chairman. Due to unsettled state of Arden finances, the committee has deferred plans for road work and other activities. The major road activities for this spring have included patching, cleaning storm pipes, fixing catch basins, and completion of the 1972 road contract. The scheduled spring trash cleanup was deferred until the financial picture clears. Necessary grass cutting and tree work has been scheduled.

The State Highway department moved a row of hydrangea bushes back on the leasehold of William West at Orleans and Harvey Road, but they have not followed through on their commitment to regrade to improve visibility. The Civic Committee will attempt to get the State to perform this work.

The Trustees of Arden deeded all unleased land to the Village of Arden. In the past the Trustees approved or disapproved use of the commons in their position as owners of the land. Now that the Village of Arden is the owner, we have discovered that we lack formal authority to regulate such things. Under new business, the Civic Committee will offer an amendment to Ordinance No. 4-Use of Commons, which will give us the right to establish such rules, subject to the approval of the Town Assembly. On motion the report of the Civic Committee was approved.

Community Planning Committee report by Frank Akutowicz.

1. The Trustees of the Hanby Trust property were sent a letter stating their concern over the proposed development of their property. Numerous copies of this letter have been sent to officials of the state and to neighboring Civic Associations.

2- The manuscript of the Arden Book is essentially complete and the committee hopes to have the book ready by September.

It was pointed out that there is a movement in Lancashire to support channelization of the Naaman's Creek, but one group is against it. Frank Akutowicz stated that he is aware of the action on this matter. On motion the report of the committee was approved.

The Safety Committee report was read by Richard Lynch, Chairman.

The committee held an open meeting and plan to continue this practice. The committee has decided on a two-part policy in an attempt to enforce the State laws forbidding dogs to run at large. Members of the committee are willing to talk to the owner of any dog and attempt to have the dog under control. If this fails the committee will cooperate to obtain a warrant for the arrest of the owner or removal of the dog. Second, the committee has requested increased patrols by the S.P.C.A. The S.P.C.A. will begin soon to patrol Arden outside of their normal hours.

Representative Daniel Weiss has advised the committee that for political reasons, he is unwilling to introduce legislation to have a traffic light at Orleans and Harvey Roads. He has asked the Division of Highway to perform another survey and they have agreed to do so.



The problem of gathering of young people on the Arden Green has not be solved. The State Police has cooperated with the committee and the residents who have called. The police noted that the lack of a clear-cut prohibition on use of the greens at certain hours or for certain purposes had presented an enforcement problem. The situation this year is very bad.

The Committee are proposing several actions which they hope will lead to a permanent solution of the problem.

1. Restrict parking in two way. They propose to establish a No-Stopping-No Standing-No Parking zone on both sides of Millers Road from Orleans Road to the Sweep. The Civic Committee will be requested to erect physical barriers such as stones, or poles in this area. The restriction will work a hardship on only one leasehold, because they may have to provide additional off-street parking for their tenants. They have been notified of the proposal of the Safety Committee.

Second, to deter parking by visitors on other streets, they propose to establish the entire length of Woodland, Cherry and Green Lanes between those streets as No Parking except for Arden residents. All leaseholders bordering the Green were notified of their intention. Stickers will be prepared to attach to each car and they will be issued to any resident. Not even guests of Arden residents will be able to park legally at the side of the street. Enforcement of the parking regulation will be by the State Police. The committee requests that the Town Assembly authorize members of the committee to act as constables to assist the police in parking enforcement if necessary. This No Parking ban may have to extended to cover more of Arden.

The Safety Committee after much discussion reached the conclusion that the only way to solve the problem is to close the Greens from dusk to dawn. The Civic Committee under New Business will propose rules for use of the Arden commons. This proposed rule for dusk to dawn closing of the commons will be added.

The Town Charter and Safety Code Ordinance provide that the parking regulations and constable provisions can be implemented by approval of this report.

Any resident who wishes to participate in Operation Identification can contact Richard Lynch or Temma Tanzer.

The committee has learned that through the services of Philip Cohen, the Attorney General of the State of Delaware has rules that Arden is entitled to fines from violations of local ordinances as paid to the Magistrate Courts, even if the violation is of a State law. They are negotiating with the Deputy Administrator of the Magistrate System for remittance of funds due Arden.

It was suggested that all communal property be closed except with permission of the Civic Committee for its use. It was also suggested that a light system be erected on the green near Millers Road, but it was pointed out this was very expensive.

On motion the report of the Safety Committee was approved as read.



The Registration Committee report was presented by Carolyn Liberman. The committee met and made plans to contact newer residents in the village and to attempt to find out their interests that they would like to share. The list of registered voters is 428. Report accepted.

Arden Civic Center Committee report was given by William Morley, Chairman.

He briefly outlined the action taken at the May 21 meeting. The building will be turned over to the Village of Arden as of June 30, 1973. No equipment or furnishings go with the Arden School. Dr. Hoegger is attempting to get some equipment released, because no funds are available to buy equipment. The facility will be leased to the Montessori School Association because they can use the facilities without alterations. They are also willing to permit the use of some of the building after school hours and during the summer. Legal details are being worked out and details of handling expenses studied. They will have to meet with the Budget Committee to decide methods of handling and reporting reserve funds, etc. On motion the report was accepted.

No report from the Arden Resources Committee or the Harvey Road Committee.

June Kleban reported on the April meeting of the Delaware League of Local Governments. There was a panel discussion on "Local Government Personnel Practices In Delaware." The meeting was informed about the proposed Intergovernmental Personnel Institute of Delaware which is to be centered in the Federal Building in Wilmington.

The objectives of the Institute will be to provide training workshops, technical assistance on wages and salaries, and a job information and recruitment center.

Dr. William Boyer told about the educational program at the University of Delaware to train people for government. The report on motion accepted.

Advisory Committee report by Aaron Hamburger. Most of the details covered by other reports, but he resigned from the Community Planning Committee and the Advisory Committee nominated Ted E. Davis to fill the vacancy.

Old Business: William Press reported that June Kleban had accepted the position as Parliamentarian.

New Business: Nominations were accepted for vacancies on the Community Planning Committee: Ted E. Davis, Deborah Colgan

Nomination for the Budget Committee: Deborah Colgan, Clyde Davis, Alton Dahl.

Warren Hoffman circulated the proposed amendment to Ordinance Number 4- Use of Commons.

Add new Section 6.

6. The Civic Committee shall establish rules for use of commons, including, but not restricted to, consumption of alcoholic beverages, use of recreational equipment, and requests for exclusive use of a specified area. The rules are to be posted at several places in the Village. The rules will take effect and can be changed after a majority vote of the Town Assembly. Violation of any rule shall be considered to be a violation of this ordinance.



Change existing Section 6 to Section 7. Amend it to read:  
Violation. Violation of this ordinance shall be punishable by a fine of not less than \$10. nor more than \$100. Each instance of violation shall be considered a separate offense.

Amend Section 1. Purpose. The residents of Arden wish to preserve the community's forests, greens and other commons for the enjoyment of themselves and their invited guests. It shall be unlawful for any person to commit any of the following acts:

Amend Section 2. Delete one of the Trustees, or the Chairman of the Town Assembly. Section 2 will read. No person or group shall sleep or camp overnight on the greens or other commons in Arden. No person or group shall sleep or camp overnight in the forest without written permission of the Chairman of the Civic Committee or his designate. If permission is not granted, reason for the refusal of the request shall be made in writing to the applicant.

To the list of five rules is added number 6. Prohibit use of Arden Greens and Field Theatre from dusk to dawn. Suggest that a time limit be put on this restriction.

Copy of the PROPOSED AMENDMENT AND RULES FOR USE OF ARDEN COMMONS is attached to minutes.

The proposed amendment with changes was accepted as the first reading of the amendment to Ordinance 4.

A motion was made that the Arden Civic Center name be changed to honor H. D. Ware and it be dedicated in memory of him. The motion states that it be called Buzz Ware Village Center.

Aaron Hamburger pointed out that it might create a legal problem while the negotiations are still going on about the school and the committee had been advised to call it the Arden Civic Center. The motion was amended to change the name after completion of the transfer of ownership of the Arden School subject to the approval of Philip Cohen. The motion carried.

Leon Tanzer proposed that the Town Assembly send a letter or scroll as a thank you for all the years of service I.B. Finkelstein had given Arden as a Trustee. On motion this suggestion was accepted. Mr. Tanzer was asked to prepare this memento, and have it suitably prepared. David Adkins was suggested to do this work.

The Registration Committee reported that Ted E. Davis was voted to Aaron Hamburger's incomplete term on the Community Planning Committee.

Clyde Davis will fill out Sandra Kerawalla's term on the Budget Committee.

Petitions were circulated to call for Special Town Assemblies on July 9 and July 16 to hear the second and third readings of the amendments and rules proposed for Ordinance Number 4-Use of Commons. Both petitions received the required 25 signatures and the Secretary of the Town Assembly was instructed to send out a notice advising of such meetings.

The meeting on motion adjourned.

Respectfully submitted,

*Mary Morley*  
Mary Morley, Town Assembly Secretary